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CITY OF ALAMEDA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTONIO EVERETT and VALERIE CLEM,) Case No. C 05-03546 MJJ

Plaintiffs,

vs.

CITY OF ALAMEDA, DOE POLICE
OFFICERS 1 THROUGH 10, individually and
in their capacity as members of the Police
Department for the City of Alameda,

Defendants.

)
)
) **STIPULATION AND ~~PROPOSED~~ ORDER**
) **RE: CONTINUING JOINT CASE**
) **MANAGEMENT STATEMENT.**

) Case Management
) Conference Date: June 20, 2006
) Time: 2:00 p.m.
) Courtroom: 11, 19th Floor
) San Francisco, CA

) Honorable Martin J. Jenkins
)
)

1 The parties hereby submit the following stipulation and proposed order continuing the Joint
 2 Case Management Conference from June 20, 2006 until August 22, 2006. Good cause exists for this
 3 stipulation and proposed order in that counsel for plaintiffs has advised counsel for the defendant that
 4 following his review of relevant documents provided by the defendant about the facts of the case he
 5 is prepared to recommend to his clients that they dismiss the case in its entirety and with prejudice
 6 with each side bearing their own fees and costs.

7 Counsel for the plaintiffs needs additional time to meet in person with his clients to discuss
 8 his recommendation and to prepare the necessary stipulation and order of dismissal. And the clients
 9 may need additional time to review his recommendation and make a decision based on his
 10 recommendation. Counsel for the defendant also needs additional time because he plans on attending
 11 his oldest daughter's graduation from UC San Diego which is scheduled to occur Monday, June 19,
 12 2006 and he will not be back in the office until Thursday, June 22, 2006. Counsel for the defendant
 13 also will be out of the country July 7th through July 21 and will be taking his middle daughter to
 14 college in Seattle July 31 and August 1. If for some reason the plaintiffs do not decide to dismiss,
 15 then the parties will need one week to prepare the necessary joint case management conference
 16 statement before the next Case Management Conference.

17
 18 So stipulated:

19
 20 DATED: June 14, 2006

_____/s/
 WALTER L. DAVIS
 Attorney for Plaintiffs


21
 22
 23
 24
 25 DATED: June 14, 2006

_____/s/
 GREGORY M. FOX
 Attorney for Defendant City of Alameda

[PROPOSED] ORDER

Good cause appearing the stipulation is So Ordered. The case management conference scheduled for June 20, 2006 is continued to August 22, 2006. If the case is not dismissed before that date, a new joint case management conference statement shall be filed on or before August 15, 2006.

DATED: June 16, 2006



MARTIN J. JENKINS
UNITED STATES DISTRICT COURT JUDGE

1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2 “conformed” signature (/s/) within this e-filed document.

3 Dated: June 14, 2006

/s/

GREGORY M. FOX